

In the Bankruptcy  
Court

Darlene Davis

1936077

FILED

2020 MAR 11 PM 2:02

U.S. BANKRUPTCY COURT  
RICHMOND DIVISION

Objection and  
Motion to Reconsider Dismissal

Darlene Davis file this motion to  
reconsider dismissal and request that  
that dismissal & reconsideration request  
be heard by a non biased judge.  
I believe based on actions/treatment  
and errors that I am being treated  
with unfounded contempt by the judges  
(systemic) I've encountered and I believe  
this is because I have been in employment  
discrimination case and because I have  
been subjected to fraud against me  
in foreclosure matters that are not legal  
and have been subjected to fraud  
against me in my chpt 13 cases my non  
creditors, also why are we discussing  
schedules again, that

march 11,  
2020

Respectfully  
Submitted

Decision I have already appealed and so why are you saying you're dismissing it now?

The matter of schedules I'd already appealed and asked for reconsideration and you had denied. I did not ask for another reconsideration of the same matter. So has someone tampered with something? I did file motion to reconsider and then an appeal.

So today, the decision was supposed to be the matter of my objection to claim that I'd filed. I did not have the notice cover sheet, so ~~did you~~ the decision is an error, one reason why I forgot the notice cover sheet is because I'm being bombarded and have been for many years by non creditors filing in my cases and I've been injured by all of this and am exhausted with no help. I have corrected the notice of the notice cover sheet. But keep in mind that LVM/Resurgent Capital did not even send me a claim. I feel I had not looked in system while here I would not have seen that, I am that and I am financial did not mail me anything claim either. Also, I'd already to LVM/Resurgent of zero balance and that I do not want my assets to Statute of Limitations last year (2019)

but I already knew of our agreement  
of 150.00 to pay.

So, since I never received notice, why  
is my case being dismissed today?  
Again, we already had the hearing,  
the schedules and you denied but that  
is on appeal (unless tampered).

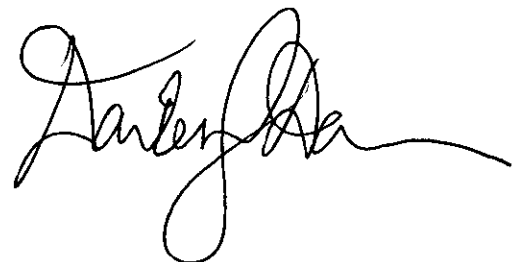
So Dismissal today is an error and I  
object to it, especially considering the non  
creditor LVNV did not even (+ Resurgent  
Capital) notice me. None of my true creditors  
are pushing me out of cases, so what is the  
matter? What is going on? Am I the only one  
concerned about my true creditors.

Fortune Investments Enterprise did not pay me  
for my zero (negative) balance home and  
additionally are not creditors. They are not  
valid so their motion for relief, will they are  
relieved to leave me alone as they have no  
right to my home. They are strictly giving erroneous  
orders and my being in hospital on term heavy duty when  
I already asked to reschedule heavy duty due to death in  
family. I rely upon this paper and  
the facts of this matter.

Respectfully  
submitted

Certificate of Service

I certify that a true & correct copy of this objection & motion to reconsider Dismissal will be mailed to parties of record (attached) on attached list



**VIRGINIA LAND RECORD COVER SHEET**

Commonwealth of Virginia VA. CODE §§ 17.1-223, -227.1, -249

**FORM A - COVER SHEET CONTENT**Instrument Date: 3/4/2020Instrument Type: DHNumber of Parcels: 0 Number of Pages: 1[ ] City [X] County SPOTSYLVANIA  
CIRCUIT COURTTax Exempt? VIRGINIA/FEDERAL CODE SECTION

[ ] Grantor: .....

[ ] Grantee: .....

Business/Name

1 Grantor: DAVIS, DARLENE J

Grantor: .....

1 Grantee: DAVIS, DARLENE J

Grantee: .....

Grantee Address

Name: DARLENE J DAVISAddress: 5910 CHADWICK COURTCity: FREDERICKSBURG State: VA Zip Code: 22407Consideration: \$0.00 Existing Debt: \$0.00 Actual Value/Assumed: \$0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: \$0.00 Fair Market Value Increase: \$0.00

Original Book No.: ..... Original Page No.: ..... Original Instrument No.: .....

Prior Recording At: [ ] City [ ] County ..... Percentage In This Jurisdiction: .....

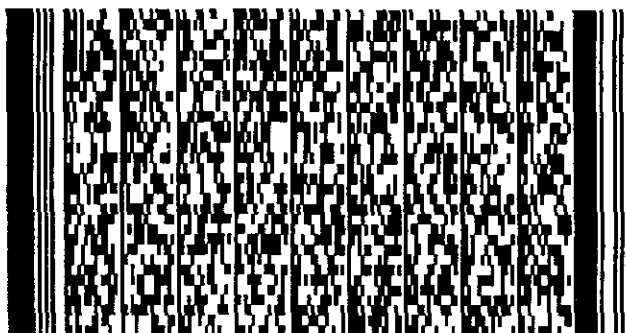
Book Number: ..... Page Number: ..... Instrument Number: .....

Parcel Identification Number/Tax Map Number: .....

Short Property Description: .....

Current Property Address: .....

City: ..... State: ..... Zip Code: .....

Instrument Prepared By: DARLENE J DAVIS Recording Paid By: DARLENE J DAVISRecording Returned To: DARLENE J DAVISAddress: 5910 CHADWICK CTCity: FREDERICKSBURG State: VA Zip Code: 22407

FILED  
SPOTSYLVANIA COUNTY, VA  
CHRISTALYN M. JETT  
CLERK OF CIRCUIT COURT

FILED Mar 05, 2020  
AT 08:00 am

INST. # 200004478  
TOTAL PAGES 0002

SAS

(Area Above Reserved For Deed Stamp Only)

HOMESTEAD DEED FOR PERSONAL PROPERTY  
VIRGINIA CODE 34-4

NAME OF HOUSEHOLDER : Darlene J. Davis

IS THE HOUSEHOLDER A DISABLED VETERAN ENTITLED TO CLAIM THE ADDITIONAL

EXEMPTION UNDER 34-4.1 NO ☒ YES ☐

ADDRESS OF HOUSEHOLDER: 5910 CHADWICK CT FREDERICKSBURG, VA 22407

NAME (S) AND AGE (S) OF DEPENDANTS (S) single family home 5910 Chadwick Ct

DESCRIPTION OF PROPERTY CLAIMED EXEMPT Fredericksburg VA 22407 3551-116

VALUE OF THE PROPERTY DESCRIBED ABOVE: APPROXIMATELY 190,000.           

Number of Homestead DEEDS THAT HAVE BEEN FILED BY THE HOUSEHOLDER 1

EXEMPTION AMOUNT PREVIOUSLY CLAIMED ON PRIOR HOMESTEAD DEEDS

LIST THE JURISDICTIONS WHERE WHERE PREVIOUS HOMESTEAD DEEDS WERE  
FILED 0

I, SWEAR (or affirm) under penalty of Perjury, that the above is true and correct,

State of Virginia

Darlene J. Davis  
HOUSEHOLDER SIGNATURE

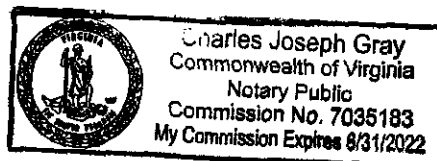
City/County of Spotsylvania ; to- Wit

SWORN AND SUBSCRIBED TO BEFORE ME ON THIS March 4, 2020  
DATE

[Signature]  
My Commission expires August 31, 2022  
DATE

7035183  
VIRGINIA REGISTRATION NO.

INSTRUMENT #200004478  
RECORDED IN CLERK'S OFFICE OF SPOTSYLVANIA ON  
Mar 06, 2020 AT 08:00 am  
CHRISTALYN M. JETT by SAS



Resent again on September 17, 2019 to SLS in  
Littleton Co. Tracking # Computer Share

Darlene J. Davis  
5910 Chadwick Court  
Fredericksburg, VA 22407  
540-273-1958

Date September 9, 2019

\* To: Computershare Holdings - Doing business as Specialized Loan Servicing LLC, 8742 Lucien Boulevard, Suite 300, Highland Ranch CO 80129 and SLS 300, 600 Dallas Parkway, Suite 300, Littleton CO 80129 and SLS and SLS, P.O. Box 636005 Littleton CO 80163-6005  
Re: My Property at 5910 Chadwick Court, Fredericksburg, VA 22407  
and your mortgage and foreclosure fraud against me, Darlene J. Davis and "Loan" # 1012246866 - SLS - a loan I never took out nor agreed to and no loan was given. TRUTH IN LENDING TILA RECISSION LETTER  
There was no mortgage and no mortgage for a zero balance.  
See: Jesinoski-v-Countrywide-Home-Loans.

Attn: Legal Dept, Executive Dept, Fraud Dept at SLS.

Dear SLS/Computer Share Holdings and all involved mentioned in this letter.

Let me be clear, this letter does not admit that I ever took out a mortgage with Wells Fargo, as I never did. And I never remortgaged with Americas Servicing Company, SLS/SLS 500, JP Morgan Chase nor Bony Mellon, nor the Trust referred to herewith. However, in an abundance of caution and since you have created a fraudulent mortgage and one I never signed nor agreed to, nor borrowed for, I state the following:

Wells Fargo created a mortgage and mortgage account number approximately September 17th, 2016 and has admitted to the CFPB that they created a mortgage on October 3rd 2016. Wells Fargo, as attorney-in-fact claimed to be transferring beneficial interest of EMC to Bank of New York Mellon FKA the Bank of New York Successor In Interest to JP Morgan Chase for structured Asset Investments Bear Sterns Alt A pass through Certificates 2005, 3. Let it be known also that JP Morgan Chase was not original creditor, nor Trustee either and so this Trust is not connected to my property. It also closed about 2006 when you were illegally assigning it in 2012 behind my back while I was in Chapter 13 (under fraud against me). You did not stop the deception, as you transferred supposed servicing rights to Specialized Loan Servicing (who I also have no contract with, as they broke the law, along with you to solicit from me after 2016 chapter 13 discharge and I timely disputed the debt). No loan with any of you has ever been consummated within the appropriate legal definition of consummation. And I never borrowed from you. In fact, I am still being subjected to fraud. The latest is a 67,000 plus withdrawal of a claim from SLS in case 1735566 and a plan and petition that I never signed nor agreed to as it was confirmed. Just like all of the secretive aspects of case 10 38727, such as the fact that SLS should not have even been in that Chapter 13 case and I never had a third mortgage with Chase (Back Bowl) and Resurgent Capital should not have been lurking about in my chapter 13

see 2017 on  
order  
or  
intended  
do I  
was 2016  
that they  
legitimate  
fact #  
to a  
mortgage  
I never  
had,

That  
should  
never  
have  
been  
at in  
claim  
behind  
my  
back!

70001038727  
either. And I never had a mortgage with US bank (order determining validity of lien strip) . . . So I am uncovering the fraud of the first chapter 13, as well. Therefore this letter also serves as notice to Specialized Loan Servicing LLC 8720 Lucent Blvd Suite 300 Colorado 80129 (and the supposed SLS 500 out of Texas and US bank c/o sls) and to Bony Mellon/JP Morgan Chase/Bear Stearns/Emc 101 Barclays st. 7 East New York NY 10286

UNDERSTAND THAT THIS NOTICE CONSTITUTES THE EXERCISE  
OF MY RIGHT TO RECISSION UNDER 15 US. CODE 1635 AND  
THIS CLAIMED LOAN (s) AND LOAN NUMBERS IS/ARE RESCINDED.

NOTICE TO AGENT IS NOTICE TO PRINCIPAL AND  
NOTICE TO PRINCIPAL IS NOTICE TO ALL AGENTS

Wells Fargo, America's Servicing Company, Bony Mellon JP Morgan Chase Trustee (and Specialized Loan Servicing LLC ( SLS 500— debt collector servicer # (1012246866) current claimed position as the creditor to this loan is governed under 15 U.S. Code 1635 and is governed as well by the United States Supreme Court in Jesinoski v. Countrywide. The mortgage that you, Wells Fargo, fraudulently created from a zero balance in 2016 ( and actually I was and am owed monies back) and that Bony Mellon JP Morgan and or ( SLS) claims to own is rescinded by this notice and now Wells Fargo, America's Servicing Company, JP Morgan Chase and Bank Of New York Mellon, SLS has an obligation to act appropriately.

← correct  
number.  
number  
in  
6566

All money paid by me including the monies I sent/paid to Americas Servicing Company from 2006-2016 and in the Chapter 13 case 10-39727 and also the money that I sent from September 2016 to April 2017 to SLS ( due to the fact that America's Servicing Company solicited for me to send SLS money as I objected heavily to the transfer but sent due to duress and veiled threats by phone, etc- even as I timely disputed the validity of the debt despite the horrible trickery. I had objected to the transfer due to many reasons including fraud/ Independent foreclosure review letter from OCC stating that I could sue you for fraud, and despite the violations by you and Specialized Loan Servicing LLC of the FDCPA, the FCRA, the bankruptcy Injunction of 2016, TILA, Predatory servicing and other consumer laws.) solicited by SLS with your participation from September 2016 to April 2017 be returned to me per applicable law.

I suggest that you contact all involved, including Fortune Investments Enterprises LLC of Alexandria VA and let them know to CEASE and DESIST and Rescind the invalid, fraudulent foreclosure auction and Property/ Deed Theft of 5910 Chadwick Court Fredericksburg, VA 22407. It is absolutely deplorable that you, after many years of deceit and fraud, led me to send money to SLS as I kept telling you that I do not agree to transfer due to the fact that I had been subjected to mortgage fraud and was still uncovering things and learning things about it. I made this crystal clear to you, SLS, Wells Fargo, America's Servicing Company and Sam White and Bony Mellon Jp Morgan . Emc and others. You proceeded with your agenda to my great harm and have added three more years to my suffering and abuse.

Let me also be clear, I never (in case 10-38727) admitted anything the Bony Mellon JP Morgan



Darlene J. Davis  
5910 Chadwick Court  
Fredericksburg, VA 22407  
540-273-1958

Post Office Tracking Number 7018 3090000-100 767515

Date August 18th 2019

August Nineteenth 2019

To: Wells Fargo Home Mortgage "Loan" number: 0534429584 (created in 2016 illegally)  
America's Servicing Company "Loan" number: 1218086788 (illegal, billed monthly for over a decade),  
1 Home Campus DES Moines, IA 50328

Re: My Property at 5910 Chadwick Court, Fredericksburg, VA 22407  
and your mortgage and foreclosure fraud against me , Darlene J. Davis

### TRUTH IN LENDING TILA RECISSION LETTER

See: Jesinoski-v-Countrywide-Home-Loans.

Attn: Wells Fargo and America's Servicing Company Legal Dept/Executive Department, CED

Dear Mr. Parker, or CEO + Legal .

Let me be clear, this letter does not admit that I ever took out a mortgage with Wells Fargo, as I never did. And I never remortgaged with Americas Servicing Company, SLS/SLS 500, JP Morgan Chase nor Bony Mellon, nor the Trust referred to herewith. However, in an abundance of caution and since you have created a fraudulent mortgage and one I never signed nor agreed to, nor borrowed for, I state the following:

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either. And I never had a mortgage with US bank ( order determining validity of lien strip) . . So I am uncovering the fraud of the first chapter 13, as well. Therefore this letter also serves as notice to Specialized Loan Servicing LLC 8720 Lucent Blvd Suite 300 Colorado 80129 (and the supposed SLS 500 out of Texas and US bank c/o sls) and to Bony Mellon/JP Morgan Chase/Bear Stearns/Emc 101 Barclays st. 7 East New York NY 10286

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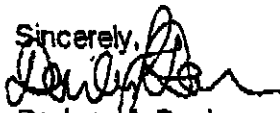
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*correction  
# 1012246866  
code 16*

Chase when they came up at the end of the case. there is fraud against me in that case and you and SLS, BONY JP Morgan continued when you started soliciting after discharge. I was only basing what I said on the fact that I was paying ASC and was never told about the fraud and the OCC letter of fraud got played down, with Wells Fargo not admitting anything and my having to try to figure things out ( learning and eventually knowing about the dual tracking and misappropriation of monies, but not by any stretch of the imagination knowing how competently illegal America's servicing company was and not knowing the nature of all of the fraud.) , So I was speaking to ASC, not Bony Mellon. And as you know, ASC is who I sent the money orders and certified checks to, not Bony Mellon. I never agreed to uphold fraud against me and the minute I learned more about it, I filled complaints with e CFPB and wrote to Sam White and Bony Mellon, who never answered my letters or fax, which let me know what I had come to learn and that is that they were not Holder in Due Course. I also went through my file and saw that there was no chain of title ( along with a title search ) that made any of you legitimate and I received paid off statement in 2006 from Waterfield Mortgage company. EMC was illegal. So I have been defrauded for 13 years and counting. I request that you contact the invalid buyer: Fortune Investments Enterprises LLC, Alexandria VA and let him know that what I said at the Auction is true. I showed evidence that I have no mortgage and a zero balance. He must have been a part of this, in my view, because he cares nothing of the fact that I have told him that he has bought nothing. there was no sale as there was no monies backing the auction and the horrific Commonwealth trustees LLC and Rosenberg And Associates had no authority under which to stand on the steps and conduct the fraudulent auction, which was illegal. please note also , dispute I Identity Fraud and illegal injecting of debt in credit report, it has been investigated and admitted that I have no mortgage balance and that has been investigated since early 2017 and so there is no foreclosure that actually took place, only apparent insiders tampering again with records. As you can not sell someone's home who owes nothing. Please note that if anyone states that I gave them trustee rights or trust rights over my assets they are committing a fraud against me and that is a fact. I never agreed at that anyone could steal or give away my assets and nor have I ever state that I am insolvent, as I am not. dont be fooled by the case 735566. That is a case where I was under serious deception and never signed the plan nor the petition that got confirmed, nor gave anyone permission to sign on my behalf. I only agreed to pay the trustee monies out of the 300,000 plus dollars that I paid into the plan, never agreed to pay non creditors (SLS Bony, Sam White) nor to remortgage, nor to remortgage a zero balance.. the REP case in the District is also null and void, as I never signed agreeing to participate outside of jurisdiction. this also serves again as notice to all bankers, servicers, investors, etc, mentioned here in this letter and to everyone to **CEASE and DESIST** all claims against my property at 5910 Chadwick Court 22407 forever. All were warned of fraud and most mentioned participated in it, so no one and no company here is a holder in due course and no loan is there anyway.

Sincerely,



Darlene Davis

CC: Specialized Loan Servicing LLC, 8742 Lucent BLVD Suite 300. Highlands Ranch CO 80129  
& Bank of New York Mellon/ JP Morgan-EMC 101 Barclay St, 7 East New York NY 10286 c/o SLS

Label Matrix for local noticing  
0422-3  
Case 19-36077-KLP  
Eastern District of Virginia  
Richmond  
Wed Dec 18 12:11:19 EST 2019  
Anderson Financial Services, LLC  
5302 Jefferson Davis Hwy.  
Fredericksburg, VA 22408-2608

~~Fortune Investments Enterprises~~  
~~7025 Bryant Towne Ct~~  
~~Alexandria, VA 22304-1835~~

United States Bankruptcy Court  
701 East Broad Street  
Richmond, VA 23219-1888

Beverly and Buckner  
2215 Jefferson Davis Hwy  
Fredericksburg, VA 22401-2186

CHARLES JERRY JARVIS  
122 WAGON WHEEL RD  
WYTHEVILLE, VA 24382-5735

~~Commonwealth Trustees LLC~~  
~~8501 Westwood Center Dr. #255~~  
~~Lebanon, VA 22127-2287~~

(p)DIRECTV LLC  
ATTN BANKRUPTCIES  
PO BOX 6550  
GREENWOOD VILLAGE CO 80155-6550

~~Fortune Investments Enterprises LLC~~  
~~7025 Bryant Towne Ct~~  
~~Alexandria, VA 22304-1835~~

Internal Revenue Service  
P.O. Box 931000  
Louisville, KY 40293-1000

JANET LOPEZ  
7518 FLIPPO DR  
FREDERICKSBURG, VA 22408-0424

MRS  
9707 Key West Ave.  
Rockville, MD 20850-4079

Office of the US Trustee  
701 East Broad St.  
Ste. 4304  
Richmond, VA 23219-1885

PEGGY STALLARD  
10109 ELYS FORD RD  
FREDERICKSBURG, VA 22407-9652

~~Business Associates, LLC~~  
~~1345 N. W. Hwy. 4600~~  
~~Rockville, MD 20850-4411~~

~~Smith Frances Law / Jonathan Francis~~  
~~2525 Pointe Center Ct. #150~~  
~~Dumfries, VA 22026-2280~~

Suzanne Wade Trustee  
Ch. 13  
P.O. Box 1780  
Richmond, VA 23218-1780

VIRGINIA JARVIS  
201 GREENTOWN RD  
MOUNT AIRY, NC 27030-9230

Virginia Jarvis  
201 Greentown Rd.  
Mt. Airy, NC 27030-9230

Darlene Denise Davis  
5910 Chadwick Court  
Fredericksburg, VA 22407-4368

John P. Fitzgerald, III  
Office of the US Trustee - Region 4 -R  
701 E. Broad Street, Ste. 4304  
Richmond, VA 23219-1849

Suzanne E. Wade  
7202 Glen Forest Drive, Ste. 202  
Richmond, VA 23226-3770

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Direct TV  
Attn: Bankruptcies  
P.O. box 6550  
Greenwood Village, CO 80155-6550

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

*Richmond*

Division

In re:

*Darlene Davis*

Debtor(s)

Case No.

Chapter

*1936077*  
*(3)*

Plaintiff(s)

Adversary Proceeding No.

v.

Defendant(s)

CERTIFICATION UNDER LOCAL BANKRUPTCY RULE 2090-1

Document Title: *objection + motion for Reconsideration Dismissal*  
Date Document Filed:  
Docket Entry No.

I declare under penalty of perjury that (Check one box):

☒ No attorney has prepared or assisted in the preparation of this document.

☐ The following attorney prepared or assisted in the preparation of this document.

(Name of Attorney)

(Address of Attorney)

(Telephone Number of Attorney)

*Darlene Davis*

Name of Pro Se Party (Print or Type)

*[Signature]*

Name of Pro Se Party (Print or Type)

*[Signature]*

Signature of Pro Se Party

Signature of Pro Se Party

Executed on:

*March 11, 2020*

(Date)

B420A (Official Form 420A) (Notice of Motion or Objection) (12/16)

EDVA (12/16)

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA

Richmond Division

In re:

Darlene Daniels

[Set forth here all names including married, maiden, and trade names used by debtor within last 8 years.]

Debtor

Address

5918 Chesapeake Ct  
Fredericksburg VA 22407

Last four digits of Social Security or Individual Tax-payer Identification (ITIN) No(s), (if any):

Employer's Tax Identification (EIN) No(s), (if any):

Case No.

1936077

Chapter

13

Objection NOTICE OF MOTION (OR OBJECTION)

To Dismissal Case  
2020

has filed papers with the court to

March 11

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in the motion (or objection), or if you want the court to consider your views on the motion (or objection), then on or before

2 days March 11

, you or your attorney must:

☐

File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

Clerk of Court

United States Bankruptcy Court

701 East Broad St  
Richmond VA 23219

2

You must also send a copy to:

*I want the hearing unless requested or needed*

☐ Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing**

☐ Attend the hearing on the motion (or objection) scheduled to be held on TBD at \_\_\_\_\_ a.m. at United States Bankruptcy Court, Rm 17100

*no answer yet* 701 East Broad St. Richmond VA 23219

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: March 11, 2020

Signature, name, address and telephone number of person giving notice:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Virginia State Bar No. \_\_\_\_\_  
Counsel for \_\_\_\_\_

Certificate of Service

I hereby certify that I have this 11th day of March, 2020, mailed or hand-delivered a true copy of the foregoing Notice of Motion (or Objection) to the parties listed on the attached service list *(affected parties)*

*Daryl [Signature]*